UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/643,601
Filing Date: August 18, 2003
Appellant(s): HIND ET AL.

Scott D. Paul
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 21, 2009 appealing from the Office action

mailed September 28, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,477,575	Koeppel et al.	11-2002
6,912,571	Serena, Frank David	06/2005
7,058,633	Gnagy et al.	06-2006
7,444,369	Schumacher, James	10-2008
2001/0049701	Howerton et al.	12-2001
2002/0077930	Trubey et al.	06-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-2, 7, 9-14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gnargy et al. US Patent #7,058,633 (Gnargy hereinafter), in view of Serena, US Patent #6,912,571

(Serena hereinafter).

As per claim 1, Gnargy teaches the invention as claimed including a method, in a markup

language document delivery system, for circumventing the operation of content blocking logic in a

markup language document delivery system, the method comprising the steps of:

locating in markup a reference to content (col. 7, lines 51-59. Recognize URL from returned Web page.);

replacing in said markup said reference with an alias (col. 7, lines 59-62. Replace URL with URL having an arbitrary domain.); and,

serving said markup to a requesting browser; whereby said replacement with said alias circumvents the operation of said content blocking logic (col. 7, lines 62-66. By using an arbitrary domain, the URL filters are circumvented.).

Gnargy teaches of determining operation of content block logic but does not specifically teach of determining the operation of content blocking logic connected to a browser within a client device.

Serena teaches of determining operation of content blocking logic connected to a browser within a client device (col. 5, line 66-col.6, line 5; col. 6, lines 29-47. Receive indication of blocked content. Browser.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to determine the operation of content blocking logic connected to a browser within a client device. The motivation for the suggested combination is that Serena's teachings would improve Gnargy's teachings by enabling observations of users and transmission of replacement content based on observed user actions.

As per claim 9, Gnargy teaches substantially the invention as claimed including a computer hardware markup language document delivery system for circumventing the operation of content blocking logic in a markup delivery system, the system comprising:

variable aliasing logic responsive to said detecting logic, said variable aliasing logic having a configuration for replacing content references in markup with aliases for said references (col. 7, lines 59-62. Replace URL with URL having an arbitrary domain.).

Gnargy does not specifically teach detection logic for detecting content blocking logic connected to a browser within a client device.

Serena teaches of determining the operation of content blocking logic connected to a browser within a client device (col. 5, line 66-col.6, line 5; col. 6, lines 29-47. Receive indication of blocked content. Browser.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to determine the operation of content blocking logic connected to a browser within a client device. The motivation for the suggested combination is that Serena's teachings would improve Gnargy's teachings by enabling observations of users and transmission of replacement content based on observed user actions.

As per claim 13, Gnargy teaches substantially the invention as claimed including a machine readable storage having stored thereon a computer program for circumventing an operation of content blocking logic, the computer program comprising a set of instructions for causing a computer hardware markup language document delivery system to perform the steps of:

locating within markup a reference to content (col. 7, lines 51-59. Recognize URL from returned Web page.);

replacing in said markup said reference to said content with an alias (col. 7, lines 59-62. Replace URL with URL having an arbitrary domain.); and,

serving said markup to a requesting browser; whereby said replacement of said reference with said alias circumvents the operation of said content blocking logic (col. 7, lines 62-66. By using an arbitrary domain, the URL filters are circumvented.).

Gnargy does not specifically teach of determining the operation of content blocking logic connected to a browser within a client device.

Serena teaches of determining the operation of content blocking logic connected to a browser within a client device (col. 5, line 66-col.6, line 5; col. 6, lines 29-47. Receive indication of blocked content. Browser.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to determine the operation of content blocking logic connected to a browser within a client device. The motivation for the suggested combination is that Serena's teachings would improve Gnargy's teachings by enabling observations of users and transmission of replacement content based on observed user actions.

As per claim 2, Gnargy teaches the method of claim 1, further comprising the steps of: subsequent to said serving step, replacing said alias with a new alias; and, serving said markup with said new alias to the requesting browser (col. 7, lines 42-45; col. 8, lines 65-67. User request web content. It is implied that a user can request other web pages and thus receive other arbitrary URLs.).

As per claim 7, Gnargy teaches the method of claim 1, wherein said replacing step comprises the steps of: formulating said alias from said reference; and, replacing said reference with said alias (col. 8, lines 4-15. Arbitrary name is made close to URL. U1XXYZ to U1XXZY.).

As per claim 10, Gnargy teaches the system of claim 9, wherein said variable aliasing logic is communicatively coupled to a reverse proxy (col. 9, lines 33-35. System translates false domain into real domain name.).

As per claim 11, Gnargy teaches the system of claim 9, further comprising an alias table comprising a plurality of entries, each entry correlating an alias with corresponding content (col. 7, lines

47-55; col. 8, lines 64-67. Recognize domain names of advertisers.).

As per claim 12, Gnargy teaches the system of claim 9, further comprising:

an address encoder having logic for producing an encoded string based upon at least a portion of

a reference (col. 8, lines 4-15. Create domain name similar to actual domain name.);

a simulated path formulator coupled to said encoder, said formulator having a configuration for

generating a simulated path to supplemental content (col. 9, lines 5-9. Use false IP address); and,

a translation table configured to store said simulated path and at least a portion of said reference (col. 9,

lines 15-17. Table with arbitrary name and corresponding actual domain name.).

As per claim 14, Gnargy teaches the machine readable storage of claim 13, further comprising the

steps of: subsequent to said serving step, replacing said alias with a new alias; and, serving said markup

with said new alias to a requesting browser (col. 7, lines 42-45; col. 8, lines 65-67. User request web

content. It is implied that a user can request other web pages and thus receive other arbitrary URLs.).

As per claim 19, Gnargy teaches the machine readable storage of claim 13, wherein said

replacing step comprises the steps of: formulating said alias from said reference; and, replacing said

reference with said alias (col. 8, lines 4-15. Arbitrary name is made close to URL. U1XXYZ to

U1XXZY.).

Claims 3 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gnargy and

Serena, in view of Lambert et al. US Publication #2006/0248452 (Lambert hereinafter).

As per claim 3, Gnargy teaches the method of claim 2, wherein said new alias is selected from a set of aliases (col. 9, lines 5-7. Use IP address from pool of addresses) but not specifically in a round-robin manner.

Lambert teaches of selecting in a round-robin manner (Paragraphs 0102, 0171).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for selecting of a new alias from a set of alias as taught by Gnargy to be in a round robin manner as taught by Lambert. The motivation for the suggested combination is that Lambert's teachings would improve the suggested system by providing an ordered method of selecting the alias. Furthermore, Lambert's teachings would provide control of redirections and increased visibility of web sites (Paragraph 0003).

As per claim 15, Gnargy teaches the machine readable storage of claim 14, wherein said new alias is selected from a set of aliases (col. 9, lines 5-7. Use IP address from pool of addresses) but not specifically in a round-robin manner.

Lambert teaches of selecting in a round-robin manner (Paragraphs 0102, 0171).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for selecting of a new alias from a set of alias as taught by Gnargy to be in a round robin manner as taught by Lambert. The motivation for the suggested combination is that Lambert's teachings would improve the suggested system by providing an ordered method of selecting the alias. Furthermore, Lambert's teachings would provide control of redirections and increased visibility of web sites (Paragraph 0003).

Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gnargy and Serena, in view of Schumacher, US Patent #7,444,369 (Schmacher hereinafter).

As per claim 4, Gnargy does not specifically teach the method of claim 1, further comprising the steps of: inserting a refresh tag in said markup to command a refreshing of said markup within a shortened period of time; and, performing said locating, replacing and serving steps with a new alias subsequent to said refreshing.

Schumacher teaches of inserting a refresh tag in a markup to command a refresh of the markup within a shorten period of time and providing a new alias subsequent to the refresh (col. 4, lines 2-11. Refresh tag. Respond with second URL.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to insert a refresh tag in a markup to command a refresh of the markup within a shorten period of time and provide a new alias subsequent to the refresh as taught by Schumacher such that the new alias undergoes said locating, replacing, and serving as taught by Gnargy. The motivation for the suggested combination is that Schumacher's teachings would improve the suggested system by enabling automatic retrieval of updated content.

As per claim 16, Gnargy does not specifically teach the machine readable storage of claim 13, further comprising the steps of: inserting a refresh tag in said markup to command a refreshing of said markup within a shortened period of time; and, performing said locating, replacing and serving steps with a new alias subsequent to said refreshing.

Schumacher teaches of inserting a refresh tag in a markup to command a refresh of the markup within a shorten period of time and providing a new alias subsequent to the refresh (col. 4, lines 2-11. Refresh tag. Respond with second URL.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to insert a refresh tag in a markup to command a refresh of the markup within a shorten period of time and provide a new alias subsequent to the refresh as taught by Schumacher such

that the new alias undergoes said locating, replacing, and serving as taught by Gnargy. The motivation

for the suggested combination is that Schumacher's teachings would improve the suggested system by

enabling automatic retrieval of updated content.

Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gnargy and

Serena, in view of Koeppel et al. US Patent #6,447,575 (Koeppel hereinafter).

As per claim 5, Gnargy and Serena teach of determining that content blocking has occurred.

Gnargy and Serena do not specifically teach the method of claim 1, wherein said determining step

comprises the steps of: tracking a number of references to content disposed in said markup; further

tracking a number of requests for content produced when rendering said markup; and, determining that

content blocking has occurred when a difference between said references and said requests exceeds a

threshold value.

Koeppel teaches of tracking a number of references to content disposed in a markup; tracking a

number of requests for content produced when rendered said markup and determining a difference

between said references and said requests (col. 3, lines 9-22. Determine whether sufficient number of

"click through" have been produced).

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to track a number of references to content disposed in a markup; track a number

of requests for content produced when rendered said markup and determine a difference between said

references and said requests as taught by Koeppel to determine that content block has occurred as taught

by the suggested system. The motivation for the suggested combination is that Koeppel's teachings

would improve the suggested system by collecting information in order to present appropriate

advertisement to a user.

As per claim 17, Gnargy and Serena teach of determining that content blocking has occurred but do not specifically teach the machine readable storage of claim 13, wherein said determining step comprises the steps of: tracking a number of references to content disposed in said markup; further tracking a number of requests for content produced when rendering said markup; and, when a difference between said references and said requests exceeds a threshold value.

Koeppel teaches of tracking a number of references to content disposed in a markup; tracking a number of requests for content produced when rendered said markup and determining a difference between said references and said requests (col. 3, lines 9-22. Determine whether sufficient number of "click through" have been produced).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to track a number of references to content disposed in a markup; track a number of requests for content produced when rendered said markup and determine a difference between said references and said requests as taught by Koeppel to determine that content block has occurred as taught by the suggested system. The motivation for the suggested combination is that Koeppel's teachings would improve the suggested system by collecting information in order to present appropriate advertisement to a user.

Claims 6 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gnargy and Serena, in view of Trubey et al. US Publication #2002/0077930 (Trubey hereinafter).

As per claim 6, Gnargy and Serena teach of determining that content blocking has occurred. Gnargy and Serena do not specifically teach the method of claim 1, wherein said determining step comprises the steps of: statistically tracking instances of served content; and, determining that content blocking has occurred when a particular one of said served content has not been served as often as indicated by said statistical trackings.

Trubey teaches of statistically tracking instances of served content and determining when a particular one of said served content has not been served as often as indicated by said statistical trackings (Paragraph 0168. Click-through rate is below historical click through rate.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to determine that content block has occurred as taught by the suggested system when a particular one of said served content has not been served as often as indicated by said statistical trackings as taught by Trubey. The motivation for the suggested combination is that Trubey's teachings would improve the suggested system by providing statistics and status to assist a merchandiser in selecting pages to merchandise (Paragraph 0161).

As per claim 18, Gnargy and Serena teach of determining that content block has occurred but do not specifically teach the machine readable storage of claim 13, wherein said determining step comprises the steps of: statistically tracking instances of served content; and, determining when a particular one of said served content has not been served as often as indicated by said statistical trackings.

Trubey teaches of statistically tracking instances of served content; and, determining when a particular one of said served content has not been served as often as indicated by said statistical trackings (Paragraph 0168. Click-through rate is below historical click through rate.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to determine that content block has occurred as taught by the suggested system when a particular one of said served content has not been served as often as indicated by said statistical trackings as taught by Trubey. The motivation for the suggested combination is that Trubey's teachings would improve the suggested system by providing statistics and status to assist a merchandiser in selecting pages to merchandise (Paragraph 0161).

Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gnargy and

Serena, in view of Howerton, III et al. US Publication #2001/0049701 (Howerton hereinafter).

As per claim 8, Gnargy teaches the method of claim 7, wherein said formulating step comprises

the steps of: encoding a string based upon a uniform resource identifier (URI) in said reference (col. 8,

lines 4-15. Generate a domain name similar to actual domain name.); recording a simulated path and a

correlation to said reference in an alias table for use when de-referencing said URI into said simulated

path (col. 9, lines 15-17. Table with arbitrary name and corresponding actual domain name.). Gnargy

does not specifically teach of interspersing at least one file system delimiter in said encoded string to

generate a simulated path to said supplemental content; and combining a network address for a local file

system with said simulated path.

Howerton teaches of inserting a path to a string to supplement content and combining a network

address for a local file system with a simulated path (Paragraph 0031. Identify a path in a directory to

service ads.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to intersperse at least one file system delimiter in said encoded string to generate

a simulated path to said supplemental content; and combine a network address for a local file system with

said simulated path. The motivation for the suggested combination is that Howerton's teachings would

improve the suggested system by providing a reference to a specific advertisement file and enabling

access of different ad servicing programs.

As per claim 20, Gnargy teaches the machine readable storage of claim 19, wherein said

formulating step comprises the steps of: encoding a string based upon a uniform resource identifier (URI)

in said reference (col. 8, lines 4-15. Generate a domain name similar to actual domain name.) and

recording said simulated path and a correlation to said reference in an alias table for use when de-

referencing said URI into said simulated path (col. 9, lines 15-17. Table with arbitrary name and

corresponding actual domain name.). Gnargy does not specifically teach of interspersing at least one file

system delimiter in said encoded string to generate a simulated path to said supplemental content;

combining a network address for a local file system with said simulated path; and,

Howerton teaches of inserting a path to a string to supplement content and combining a network

address for a local file system with a simulated path (Paragraph 0031. Identify a path in a directory to

service ads.).

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings to intersperse at least one file system delimiter in said encoded string to generate

a simulated path to said supplemental content; and combine a network address for a local file system with

said simulated path. The motivation for the suggested combination is that Howerton's teachings would

improve the suggested system by providing a reference to a specific advertisement file and enabling

access of different ad servicing programs.

(10) Response to Argument

Appellants argued:

(1) Each of independent claims 1, 9, and 13, involve "content blocking logic connected to a

browser within a client device". Thus, the content blocking is occurring within the browser, which is in a

client device.

In response, Examiner respectfully disagrees with Appellants' interpretation of the claims.

According to the claims' language, the content blocking logic is connected to the browser. By

connection, the content blocking logic may be separate from the browser. Examiner points to

Appellants' specification that also describes that the content blocking may reside external to the browser.

Appellants' specification recites "As the content blocking logic 180, whether it resides in same computer

as browser 130 or external 130" (Page 12, paragraph 0026), and figure 1 shows "Content Blocking Logic

180" external to browser 130. It is unclear as to how the content blocking logic or content blocking is

"within" the browser as argued by the Appellants.

Furthermore, according to the claims' language, while the browser is within a client device, the

claims' do not specify that the content blocking logic is also within the client device. The content

blocking logic is just connected to the browser and the browser is within the client device.

(2) Serena teaches the use of an observation program 405 that may reside at a server computer or

within an intermediary device. The operation of content blocking logic is performed by the observation

program 405 which is not connected to a browser within a client device.

In response, Examiner respectfully disagrees that the observation program is not connected to a

browser within a client device. Regarding the observation program and the browser, Serena teaches,

> "the observation program 405 may reside at a user's client computer 415" (col. 4, lines 29-31)

> "a web browser at the user's client computer 415 might request HTML files from the network
> server computer 420" (col. 4, lines 47-50)

> "The user's computer 415 includes, among other features, an operating system 435 that manages
> the basic operations of the computer 415 and one or more local application programs that perform
> some useful tasks." (col. 5, lines 8-11)

> "When the application program is a network browser, the user could specify the Internet protocol
> (IP) address that identifies a particular device from the content originates and a particular network
> from which the content originates" (col. 6, lines 38-40)

As cited above, Serena teaches that the observation program may reside at a user's computer and

that the user's computer includes an application program such as a network browser. As acknowledged

by the Applicant on page 10, line 5, the observation program may receive user preferences from the user.

Serene teaches that the user preferences are provided via the network browser on the client device (col. 6,

lines 49-54).   Serena teaches "an example of how such content selection is implemented is displayed in a

network browser as a separate preferences window 700", wherein the content selection is referring to

content for blocking (col. 6, lines 33-43). The preferences that the observation program receives from the user may come from the browser. Thus, there is a connection between the observation program and the browser to allow the observation program to receive preferences from the browser. Fig. 4 of Serena also shows lines between observation program and local application programs, which can include the network browser, that portray communication between the programs.

Serena further teaches that the observation program receives content that includes ads, URL, and/or IP address from a server and processes the content based on the preferences. Serena suggests that the preferences can include blocking of content (col. 6, lines 34-49). The observation program selectively removes and deletes the ads, URL, and/or IP address based on the preferences (col. 10, lines 46-49; col. 12, lines 10-16). Then, a local application such as the browser receives the modified content from the observation program for rendering. This would also suggest that observation program is connected to the browser within the client device so that the content modified by the observation program is subsequently received by a program such as the browser. As acknowledged by Appellants, the observation program performs the operation of content blocking, and thus, Serena teaches of operation of content blocking logic connected to a browser within a client.

(3) Although, the observation program may reside in a server, the determining step involves the server determining an operation of itself and not of an operation with another entity (i.e. content blocking logic connected to a browser within a client device).

In response, Examiner will further clarify the rejection. The claims do not specify how operation of the content blocking logic is determined and while the steps of the claims are in a system, the claims do not specify who in the system is determining the operation. As explained above, Serena teaches of a content blocking logic, i.e. the observation program, connected to a browser within a client device. The observation program may reside on the client device or external to the client device. The observation

program does not have to reside in the server as argued by Appellants. Serena teaches that the

observation program executes content preferences and that the content preferences may include content to

be blocked. The observation program may perform content blocking based on the content preferences.

As cited in the Office action and acknowledged by the Appellants, the content preferences may be

provided by a source other than a user (col. 6, lines 2-5). Serena further describes that the source can be a

server and that the preferences of a user on the server is accessed by the observation program (col. 6, lines

13-16). Thus, the server determines that an observation program, i.e. content block logic, is operating by

receiving access from the observation program and by the server providing what content to block to the

observation program. As previously explained, the observation program can reside on the client device

and is connected to a browser within a client device. Therefore, Serena teaches "content blocking logic

connected to a browser within a client device".

(4) Gnagy also fails to teach wherein the determining is performed – i.e. the markup language

document delivery system.

In response, it is noted that since the claims recite a "system", the steps of the claims do not have

be performed in a single device. Gnagy teaches of a markup language document delivery system that is

able to circumvent operation of content blocking logic (col. 7, lines 19-23, 42-48). Thus, a markup

language document delivery system is not novel, and it would have been obvious to one of ordinary skill

in the art to implement Serena's teachings into Gnagy's markup language document delivery system.

In addition, as previously explained above, Serena teaches of "determining the operation of

content blocking logic connected to a browser". Serena also teaches of a system that delivers markup

language document. Serena teaches,

> "If the client computer 415 is connected to a network, then the user's client computer 415 makes
> requests from a server computer 420 that provides services to one or more other computer
> programs 425, for example, name services, portal and application servers, electronic mail, and

Internet service. The user can then access information or documents through the server computer 420… (col. 4, lines 36-43)

For example, a web browser at the user's client computer 415 might request HTML files from the network server computer 420". (col. 4, lines 48-50)

Therefore, Serena teaches of determining the operation of content blocking logic connected to a browser in a markup language document delivery system.

(5) Claims 3 and 15 respectively depend from independent claims 1 and 13 and Appellants incorporate the arguments previously advanced in traversing the imposed rejection of claims 1 and 13 under 35 U.S.C. 103 for obviousness based upon the combination of Gnagy and Serena. The tertiary reference to Lambert does not cure the argued deficiencies of the prior rejection.

In response, Appellants do not present any new arguments for the reversal of the rejections. Examiner incorporates the above explained responses to Appellants' arguments, and claims 3 and 15 are not patentable for similar a reason that claims 1 and 13 are not patentable.

(6) Claims 4 and 16 respectively depend from independent claims 1 and 13 and Appellants incorporate the arguments previously advanced in traversing the imposed rejection of claims 1 and 13 under 35 U.S.C. 103 for obviousness based upon the combination of Gnagy and Serena. The tertiary reference to Schumacher does not cure the argued deficiencies of the prior rejection.

In response, Appellants do not present any new arguments for the reversal of the rejections. Examiner incorporates the above explained responses to Appellants' arguments, and claims 4 and 16 are not patentable for similar a reason that claims 1 and 13 are not patentable.

(7) Claims 5 and 17 respectively depend from independent claims 1 and 13 and Appellants incorporate the arguments previously advanced in traversing the imposed rejection of claims 1 and 13

under 35 U.S.C. 103 for obviousness based upon the combination of Gnagy and Serena. The tertiary

reference to Koeppel does not cure the argued deficiencies of the prior rejection.

In response, Appellants do not present any new arguments for the reversal of the rejections.

Examiner incorporates the above explained responses to Appellants' arguments, and claims 5 and 17 are

not patentable for similar a reason that claims 1 and 13 are not patentable.

(8) Claims 6 and 18 respectively depend from independent claims 1 and 13 and Appellants

incorporate the arguments previously advanced in traversing the imposed rejection of claims 1 and 13

under 35 U.S.C. 103 for obviousness based upon the combination of Gnagy and Serena. The tertiary

reference to Trubey does not cure the argued deficiencies of the prior rejection.

In response, Appellants do not present any new arguments for the reversal of the rejections.

Examiner incorporates the above explained responses to Appellants' arguments, and claims 6 and 18 are

not patentable for similar a reason that claims 1 and 13 are not patentable.

(9) Claims 8 and 20 respectively depend from independent claims 1 and 13 and Appellants

incorporate the arguments previously advanced in traversing the imposed rejection of claims 1 and 13

under 35 U.S.C. 103 for obviousness based upon the combination of Gnagy and Serena. The tertiary

reference to Howerton does not cure the argued deficiencies of the prior rejection.

In response, Appellants do not present any new arguments for the reversal of the rejections.

Examiner incorporates the above explained responses to Appellants' arguments, and claims 8 and 20 are

not patentable for similar a reason that claims 1 and 13 are not patentable.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals

and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/JJ/ Joshua Joo

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454

Conferees:

/John Follansbee/

Supervisory Patent Examiner, Art Unit 2451

/NATHAN FLYNN/

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